

Initial Decision within 45 days of receipt. The Initial Decision in this matter was received on September 18, 2015.

Petitioner's application for benefits was denied in March 2015 due to excess resources. Specifically Hunterdon County determined that a trust set up by Petitioner's sister in 1997 and amended in 2005 to pay for Petitioner's supplemental needs was available to her. However, during the course of the administrative proceedings, Hunterdon County determined that the trust corpus was not an available resource to Petitioner and rescinded its prior denial letter.

As such the issue concerning whether the trust is a resource is moot. There appear to be other issues that must be resolved in order to determine Medicaid eligibility. Additionally, trust funds that have paid out to Petitioner or for her benefit must be reviewed both at the time of application as well as disclosure of any future disbursements. Hunterdon County shall continue to process the application.

THEREFORE, it is on this 23rd day of OCTOBER 2015

ORDERED:

That the Initial Decision is ADOPTED.



Valerie J. Harr, Director
Division of Medical Assistance
and Health Services